

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
FEBRUARY 6, 2001 - 7:00 P.M.**

**A. CALL TO ORDER**

Mayor Rodney G. Nauert called the regular meeting of the City Council of the City of Copperas Cove, Texas to order at 7:00 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Council member Annabelle Smith led the Invocation and the Pledge of Allegiance.

**C. ROLL CALL**

**ALSO PRESENT**

Bradi D. Diaz  
Ray Don Clayton  
John F. Gallen  
Charlotte Heinze  
Fred Harris  
Bud Owsley  
Annabelle Smith

Richard Torres, City Manager  
Mary Boone, City Secretary  
Sara Hartin, City Attorney

**D. ANNOUNCEMENTS**

Council member Owsley

- Stated he had met with the newly formed Cemetery Committee. Announced Trey Hooten was elected Chairperson.
- Stated he had met with Hill Country Transit Authority. Announced new routes would be developed in Copperas Cove and a new bus would be added.
- Stated he attended the Housing Authority meeting and said Copperas Cove had a 100% occupancy rate in the housing provided to the low income.
- Stated he held the Monthly Citizen Meeting on February 5<sup>th</sup>. He provided a copy of the questions asked at that meeting.
- Announced a Caribbean Jam Fest would be held on February 17<sup>th</sup> at Civic Center with live entertainment provided.

Mayor Pro Tem Harris

- Stated he had attended the TML Region 9 meeting and commended Council members Smith and Heinze for their representation of the City. Briefly commented on the speakers at that meeting.
- Stated he would be traveling to Austin to visit with Representatives Hupp and Miller about the community's commitment to kids. He also

updated them on the status the proposed bypass project and requested any assistance they could provide.

- Requested the City look at establishing a bingo ordinance.
- Inquired about the lights for new entrance signs.
- Stated he would like to make sure the employees afforded due process.

#### Council member Heinze

- Thanked the Fire Department for the jobs they do.
- Stated the Christmas lights would be taken down Monday and stored temporarily.
- Announced America's Promise would be hosting a Valentine's Dance on Saturday, February 10<sup>th</sup> for teens 13-18 yrs. Anyone attending must have a canned good for entry.
- Announced she had attended a Summit meeting in Austin and would like for the entire Council to attend next time.

#### Council member Gallen

- Commend the Parks and Recreation Department for the Polar Bear Club activities.

#### Council member Diaz

- Congratulated Pam Russell, Executive Secretary to the City Manager, for receiving her certification as a Texas Registered Municipal Clerk.
- Reminded everyone about the Tuesday Night Out activities sponsored by the Parks and Recreation Department.

### **E. PUBLIC RECOGNITION**

#### 1. Recognition of Retirement – Danny Lockwood

Mayor Nauert gave a brief background and presented Danny Lockwood with a framed print. James Ballowe, Director of Solid Waste, presented Mr. Lockwood with a shadow box the Department had put together with memories of his career.

### **F. CITIZEN'S FORUM** citizens are allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

Dianne Steele – 905 N 4<sup>th</sup> Street – expressed concern about the stray cats and commended the Animal Control Officers.

Elton Wigginton - 319 Ash – expressed concern about the rules for homeowners and responsibilities for sewer repairs.

Brittney Williams – Plamor Bingo – Presented a \$1,500 donation to Police Department to use towards the purchase of radar equipment.

Amy Casto - 2202 Cressen Drive – expressed concern about the Animal Control Ordinance and the restrictions on the number of animals in a residence.

#### **G. CONSENT ITEMS**

1. Consideration and action on approval of minutes from January 16, 2001 Regular City Council Meeting. **Mary Boone, TRMC, City Secretary**
2. Consideration and action on the approval of an addition to the Ease Highway 190 emergency sewer repair project to Bell Contractors, Inc. in the amount of \$16,098.48. **Robert M. McKinnon, Director of Water/Wastewater**
3. Consideration and action on approving the purchase of materials from Hughes Supply in the amount of \$7,045.85 for the installation of a water line to provide service to Fire Station #3 and the adjacent area along the north side of Highway 190, near Ogletree Preserve. **Robert M. McKinnon, Director of Water/Wastewater**
4. Consideration and action on approving the purchase of replacement light tubes for the ultra violet disinfection system at the South Plant to Ultra Tech Systems, Inc. at a price of \$43.00 each, plus shipping charges, for a total purchase not to exceed \$9,200.00. **Robert M. McKinnon, Director of Water/Wastewater**
5. Consideration and action on authorizing the Mayor to sign an Interagency Agreement between the City of Copperas Cove and Bell County which supports the existing grant application with the Criminal Justice Division of the Office of the Governor, State of Texas, in funding for the Central Texas Narcotics Task Force. **Tim Molnes, Chief of Police**
6. Consideration and action on authorizing Hearn Engineering, Inc. to complete ground-water sampling service for the 2000-2001 FY in an amount not to exceed \$14,000.00. **James Ballowe, Director of Solid Waste**
7. Consideration and action on approving Resolution No. 2001-06 – authorizing the City Manager to enter into a five year lease agreement with Sun Trust Leasing Corporation of Baltimore, MD for the purchase of a horizontal grinder in the amount of \$171,906.00 at an interest rate 4.94 percent. **Christine M. Julius, Assistant**

**Director of Finance and Robert M. McKinnon, Director of  
Water/Wastewater**

**Item No. G-3 was pulled.**

Council member Smith made the motion to approve items G1, G2, and items G4 through G7. Council member Gallen seconded the motion and with a unanimous vote, motion carried.

**H. PUBLIC HEARINGS/ACTION**

1a. Public Hearing on approval of the Final Plat of Whipporwill Ridge Estates. <b>Wayne Herrington, City Planner</b>
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Speaking for:  
None

Speaking against:  
None

1b. Consideration and action on approval of the Final Plat of Whipporwill Ridge Estates. <b>Wayne Herrington, City Planner</b>
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Councilmember Heinze made the motion to approve the Final Plat of Whipporwill Ridge Estates. Council member Clayton seconded the motion and with a unanimous vote, motion carried.

2a. Public Hearing on approval of the Final Plat of Skyline Valley South Phase Two to include a variance from the Subdivision Ordinance pertaining to minimum pavement widths for rural streets. <b>Wayne Herrington, City Planner</b>
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Speaking for:  
None

Speaking against:  
None

2b. Consideration and action on approval of the Final Plat of Skyline Valley South Phase Two to include a variance from the Subdivision Ordinance pertaining to minimum pavement widths for rural streets. <b>Wayne Herrington, City Planner</b>
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Mayor Pro Tem Harris made the motion to approve the Final Plat of Skyline Valley South Phase Two to include a variance from the Subdivision Ordinance

pertaining to minimum pavement widths for rural streets. Council member Gallen seconded the motion and with a unanimous vote, motion carried.

Council member Owsley stated this action was the best the City could do at this time, but it would cost the citizens later.

3a. Public Hearing on Ordinance No. 2001-09 – establishing a curfew for minors, Chapter 13, Article 1, Section 13-3 of the City's Code of Ordinances; providing a savings clause; providing a severability clause; and declaring an effective date. *Sara Hartin, City Attorney*

Speaking for:  
None

Speaking against:  
None

3b. Consideration and action on Ordinance No. 2001-09 – establishing a curfew for minors, Chapter 13, Article 1, Section 13-3 of the City's Code of Ordinances; providing a savings clause; providing a severability clause; and declaring an effective date. *Sara Hartin, City Attorney*

Council member Heinze made the motion to approve Ordinance No. 2001-09 as presented. Council member Clayton seconded the motion and with a unanimous vote, motion carried.

The caption reads as follows:

#### **ODINANCE NO. 2001-09**

**AN ORDINANCE ESTABLISHING A CURFEW FOR MINORS, CHAPTER 13, ARTICLE 1, SECTION 13-3 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

#### **I. ACTION ITEMS**

1. Consideration and action on authorizing the City Manager to execute a change order to the Freese & Nichols contract for the water tank rehabilitation project. *Paul Boyer, City Engineer*

Council member Owsley made the motion to approve authorizing the City Manager to execute a change order to the Freese and Nichols contract for the water tank rehabilitation project. Council member Clayton seconded the motion and with a unanimous vote, motion carried.

2. Consideration and action on approving the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2000. **Steven J. Alexander, Director of Finance**

Council member Gallen made the motion to approve the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2000. Council member Smith seconded the motion.

Steven Alexander, Director of Finance, stated Lott Vernon and Company had performed the annual audit and had given it an unqualified opinion. He stated the opinion was considered positive.

Council member Owsley asked Mr. Alexander to comment on Exhibit B in the management letter. Mr. Alexander explained the City is aware of the deficiencies in cash handling at the Golf Course and is working on ways to remedy the situation.

Mr. Alexander also stated the other comment on the management letter was pertaining to the fixed asset inventory of the City's assets. He stated it should be finalized this fiscal year.

Following the discussions, council voted unanimously to approve the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2000. Motion carried.

3. Consideration and action on an "Order of Election" calling a General Election for Council members Positions 3, 4, & 5; to be held on May 5, 2001, and a Runoff Election on June 2, 2001 (if necessary); and approving Resolution No. 2001-07 outlining the election procedures. **Mary Boone, TRMC, City Secretary**

Council member Heinze made the motion to approve the "Order of Election" calling a General Election for Council members Positions 3, 4, & 5 to be held on May 5, 2001 and a Runoff Election on June 2, 2001 (if Necessary); and approve Resolution No. 2001-07 outlining the election procedures. Motion was seconded by Council member Smith and with a unanimous vote, motion carried.

## **J. STAFF REPORTS**

1. Financial Report for the month ended December 31, 2000. *Steven J. Alexander, Director of Finance*

Steven Alexander, Director of Finance, stated this was the Monthly Council Report for the month ending December 31, 2000. He noted the beginning fund balances for each found in the report represent unaudited figures. He also noted the CCEDC financial report for the month ending December 31, 2000 had been provided, but the Chamber of Commerce financial report would be provided on a quarterly basis.

2. Update on new utility bill format. *Steven J. Alexander, Director of Finance*

Mr. Alexander stated the utility billing format was up and running with some difficulties, but the programmer was working with it. He stated the following:

- New format is 8.5" x 11"
- The text can be changed and more information can be placed on the bill for better communication with the citizens.
- Senior citizens discounts now shows
- Late charges now show.
- Flyers can be mailed with the utility bills

3. Update on Hwy. 190 Sewer Project and Composting. *Robert M. McKinnon, Director of Water/Wastewater*

Bob McKinnon, Director of Water/Wastewater commended the Sewer and Street Departments for their work during the project and thanked the Police Department for their help. He stated the project was now completed.

Mr. McKinnon stated they now have 60 yards of composting made and it would soon be made available to citizens. He stated a policy for the sale and use of the compost would be developed before it is made available to the citizens.

## **K. REPORTS OF ADVISORY COMMITTEES AND BOARDS**

## **L. ITEMS FOR FUTURE AGENDAS**

Council member Owsley requested a workshop on policy for sewage line from citizen's property lines to street. Council concurred.

Mayor Pro Tem Harris requested a workshop to explore grievances and a bingo ordinance.

**Mayor Nauert closed the regular session at 8:07 p.m.**

**M. EXECUTIVE SESSION**

1. Pursuant to §551.071 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to consult and seek the advice of its attorney concerning the following pending and contemplated litigation:
  - a. Brian Webb v. City of Copperas Cove
2. Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the possible acquisition of utility easements, Summers Road Sewer Extension Projects, specifically a utility easement across the Lehmann Heritage Corporation's property, and Bill Summers' property.

**N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION**

**Mayor Nauert reopened the regular session at 8:47 p.m.**

No action was taken on the Executive Session item.

**O. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:01 p.m.

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Rodney G. Nauert, Mayor

ATTEST:

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Mary Boone, TRMC, City Secretary